

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

July 09, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/ T. Taylor
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JEFFERY DEAN COMPTON, JR.,

Plaintiff,

V.

S.W.V.R.J.A.,

Defendant.

Case No. 7:24CV00264

OPINION

JUDGE JAMES P. JONES

Jeffery Dean Compton, Jr., Pro Se Plaintiff.

The plaintiff, proceeding pro se, has filed a civil rights action under 42 U.S.C. § 1983, alleging that the defendant, the Southwest Virginia Regional Jail Authority, did not transfer him immediately to a Virginia Department of Corrections (VDOC) prison facility, as the trial court allegedly ordered on March 20, 2024. Compton wants “to be paid for [his] time sitting [in jail] past 3-28-24.” Compl. 5, ECF No. 1. Upon review of the Complaint, I find that the lawsuit must be summarily dismissed.

The court is required to dismiss any action or claim filed by a prisoner against a governmental entity or officer if the court determines the action or claim is frivolous, malicious, or fails to state a claim on which relief may be granted. 28

U.S.C. § 1915A(b)(1). A “frivolous” claim is one that “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

The Supreme Court has held that inmates have no constitutional right to be housed in any particular correctional facility within the state where they were convicted. *Olim v. Wakinekona*, 461 U.S. 238, 245 (1983). Because Compton has no constitutional right to be transferred to a VDOC facility, I will summarily dismiss his claims under § 1915A(b)(1) as frivolous.

A separate Final Order will be entered herewith.

DATED: July 9, 2024

/s/ JAMES P. JONES
Senior United States District Judge